

n Days

Best Available Copy



0016044875 10070 2018  
MAILED FROM ZIP CODE 92014

# AN EQUAL OPPORTUNITY EMPLOYER

USE, \$300

9 08 07/15/09

R

RESS

RD

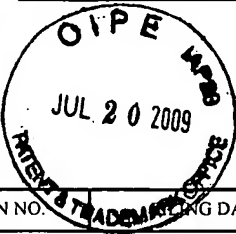
R

|||||||



# UNITED STATES PATENT AND TRADEMARK OFFICE

TH-



UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,189	03/14/2007	Ronald G. Padilla	2096	7143
<div>24264 7590 07/10/2009 TIMOTHY J. MARTIN, P.C. 9250 WEST 5TH AVE LAKEWOOD, CO 80226</div>				
			EXAMINER COLLINS, DOLORES R	
			ART UNIT 3711	PAPER NUMBER
			MAIL DATE 07/10/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/575,189	<b>Applicant(s)</b> PADILLA, RONALD G.	
	<b>Examiner</b> Dolores R. Collins	<b>Art Unit</b> 3711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 September 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furr et al. ( 073) in view of Ringer (560).

Furr discloses a Table Soccer or Football Game Structure.

Regarding claims 1-3, 8-9, 12 -13, 16-20, 25, 30-34 & 37-39, Furr teaches a game table adapted to be placed on a support table (see figure 1). He further teaches, in fig 5, that his table has positioning elements associated with its legs. ). Furr teaches play rod assembly (see fig. 3). Furr fails to explicitly teach legs that have panels that are slideably engaged therein. Ringer discloses an Article Of Furniture. Ringer teaches legs that accommodate slideable panels and sides (see fig. 1). It would have been obvious to modify Furr to include legs that would accommodate slideable connections, for a more sturdy structure. With respect to claims 4 & 21, Furr teaches a foot member with leg adjuster (27). In the case of claims 5-7 & 22-24, Furr teaches an end cap and securing element by way of his bead (35). Regarding claims 10-11, 26-27 & 35-36, Furr teaches a ball drop opening (23) (goal) and ball collector (25). In the case of claims 14-

Art Unit: 3711

15 & 28-29, Furr fails to explicitly teach brace members or a shelf. Ringer discloses brace members (19 and 23) capable of accommodating a shelf. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Furr to include a brace and include a shelf in order to add flexibility and provide increased storage for his apparatus.

Examiner also takes official notice that conventional soccer and/or football tables are known to have end, side and bottom panels, goals, ball collectors, rods and bolts as part of their assembly.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure and are cited to show the state of art with respect to features of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dolores R. Collins whose telephone number is (571) 272-4421. The examiner can normally be reached on 8.00 A.M. - 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eugene Kim can be reached on (571) 272-4463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3711

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dolores R. Collins/  
Examiner, Art Unit 3711

/Gene Kim/  
Supervisory Patent Examiner, Art Unit 3711

<b>Notice of References Cited</b>	Application/Control No. 10/575,189		Applicant(s)/Patent Under Reexamination PADILLA, RONALD G.	
	Examiner Dolores R. Collins		Art Unit 3711	Page 1 of 3

#### U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-D570,418	06-2008	Lu, Chien-Tu	D21/318
*	B	US-D518,110	03-2006	Ruelle, Russell J.	D21/318
*	C	US-6,854,728	02-2005	Oister et al.	273/108.1
*	D	US-D499,149	11-2004	Doherty et al.	D21/318
*	E	US-5,931,465	08-1999	Miyake et al.	273/108.1
*	F	US-5,752,886	05-1998	Tien, Feng-Yi	473/14
*	G	US-6,409,169	06-2002	Sutter, Josef Beat	273/108.1
*	H	US-5,326,102	07-1994	Chang, Charles	273/108.52
*	I	US-4,025,073	05-1977	Furr et al.	273/108.52
*	J	US-6,616,141	09-2003	Diamant, Asher	273/108.1
*	K	US-3,306,692	02-1967	TIMMERMAN LEONARD A	312/231
*	L	US-D474,814	05-2003	Conaway, Danny L	D21/357
*	M	US-5,884,911	03-1999	Guridi, Jose Javier Silva	273/119R

#### FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

#### NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

<b>Notice of References Cited</b>	Application/Control No. 10/575,189		Applicant(s)/Patent Under Reexamination PADILLA, RONALD G.	
	Examiner Dolores R. Collins		Art Unit 3711	Page 2 of 3

#### U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-5,556,094	09-1996	Shiledar Baxi, Hari R.	273/108.5
*	B	US-3,870,303	03-1975	Patterson, Jr., Lawrence T.	273/108.52
*	C	US-2006/0199656	09-2006	Mc Govern, James Robert	473/018
*	D	US-5,135,218	08-1992	McGovern, James R.	473/7
*	E	US-4,927,140	05-1990	Pappas, Spilios A.	473/8
*	F	US-7,156,745	01-2007	Fahmie, Richard B.	473/10
*	G	US-4,448,463	05-1984	Amos, Paul E.	312/111
*	H	US-2,204,107	06-1940	SWETT WALTER W	108/167
*	I	US-7,478,602	01-2009	Peng, Wen Chih	108/131
*	J	US-7,474,983	01-2009	Mazalek et al.	702/150
*	K	US-7,472,909	01-2009	Gordon, Jarrett	273/309
*	L	US-7,325,803	02-2008	Miranda, Allen Batres	273/108.5
*	M	US-6,561,511	05-2003	Vaysberg et al.	273/108.56

#### FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

#### NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



<b>Notice of References Cited</b>	Application/Control No. 10/575,189	Applicant(s)/Patent Under Reexamination PADILLA, RONALD G.	
	Examiner Dolores R. Collins	Art Unit 3711	Page 3 of 3

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-3,940,135	02-1976	Cohen, Samuel W.	273/108.5
*	B	US-5,000,461	03-1991	Borazjani, Abdul H.	273/401
*	C	US-4,448,463	05-1984	Amos, Paul E.	312/111
*	D	US-3,926,488	12-1975	Amos, Paul E.	312/241
*	E	US-3,847,460	11-1974	Weidt, Karl-Adolf	312/265.2
*	F	US-3,788,242	01-1974	Hassel et al.	108/107
*	G	US-2,728,621	12-1955	KEMPTER JOSEPH C	108/136
*	H	US-1,481,560	01-1924	SOREN RINGER	312/258
*	I	US-4,027,878	06-1977	Dadbeh, Bemanali H.	473/29
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.